

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GERMANI MARIE MADDEN,

Plaintiff,

v.

MOLASKY CPORATE¹ CENTER C/O
ANNA JUAREZ,

Defendant.

Case No. 2:23-cv-00306-ART-EJY

ORDER

Pro se Plaintiff Germani Marie Madden (“Madden”) brings this action alleging defamation and intentional infliction of emotional distress by Defendant Molasky Corporate Center (“Molasky”). Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of United States Magistrate Judge Elayna J. Youchah (ECF No. 3), recommending the Court dismiss this action with prejudice. Plaintiff had until April 18, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R, and will dismiss Madden’s Complaint (ECF No. 1-1) with prejudice.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one

¹ Defendant’s name is misspelled in the original complaint, and the court reproduces this misspelling here for the sake of accuracy. (See ECF No. 1-1 at 2).

1 or both parties file objections to the findings and recommendations.”) (emphasis
2 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that
3 the Court “need only satisfy itself that there is no clear error on the face of the
4 record in order to accept the recommendation.”).

5 Because there is no objection, the Court need not conduct de novo review,
6 and is satisfied Judge Youchah did not clearly err. Here, Judge Youchah
7 recommends dismissing this action with prejudice because Madden pleads state
8 tort causes of action that do not establish federal jurisdiction, fails to state a
9 claim upon which relief may be granted, and duplicates “word-for-word”
10 Madden’s complaint in a previously dismissed case. (ECF No. 3 at 3-4). The Court
11 agrees with Judge Youchah. Having reviewed the R&R and the record in this
12 case, the Court will adopt the R&R in full.

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14 It is therefore ordered that Judge Youchah’s Report and Recommendation
15 (ECF No. 6) is accepted and adopted in full.

16 It is further ordered that this action is dismissed with prejudice.

17 The Clerk of Court is respectfully directed to close this case.

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19 DATED THIS 23rd Day of June, 2023.

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22 ANNE R. TRAUM
23 UNITED STATES DISTRICT JUDGE
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